

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON SEPTEMBER 8, 2020**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on September 8, 2020 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Chaplain Winfred Warren, Smyrna Police Department. The pledge of allegiance was led by Dianne Waldron, Town Clerk

The roll was called by the Town Clerk and the following Town Council Members were present:

Mayor Mary Esther Reed
Vice-Mayor Marc Adkins
H. G. Cole
Tim Morrell
Racquel Peebles
Gerry Short
Steve Sullivan

1. Approval or Correction of Minutes of the August 11, 2020 and August 27, 2020 meetings.

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the August 11, 2020 regular session of the Town Council and the August 27, 2020 regular worksession of the Town Council. The motion was duly seconded by Council Member Steve Sullivan. Following discussion, the motion was approved unanimously.

2. Correspondence/Communications.

There was no correspondence/communications to be presented to the Town Council at this time.

3. Awards and Recognitions.

A proclamation was read and presented to Fire Chief Bill Culbertson recognizing October 4-10, 2020 as Fire Prevention Week.

4. Consent Agenda.

The following Consent Agenda items were next presented for consideration by the Town Council:

- a. Approval of the terms of, and authorization for the Mayor to execute, a contract extension for the roadway repair contract with Sessions Paving.
- b. Approval of the terms of, and authorization for the Mayor to execute, a two year contract extension with Mint Condition relative to janitorial services to various Town facilities.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract to purchase salt from Morton Salt under the State of Tennessee contract at the Rutherford County rate of \$81.66 per ton of salt.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with MR Systems Inc. relative to maintenance at Water Treatment Plant.
- e. Approval of the terms of, and authorization for the Mayor to execute, an Inter-Local Agreement with LaVergne, Murfreesboro, Eagleville and Rutherford County relative to the Emergency Management Agency director's salary.
- f. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Randy Button & Associates for appraisal services for Genie Lane Project.

Following discussion, Council Member Tim Morrell made a motion to approve and adopt the Consent Agenda and to authorize the Mayor to execute said documents. The motion was duly seconded by Council Member Gerry Short. Following further discussion, the motion was approved unanimously. A copy of said documents referenced on the Consent Agenda is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "1".

5. Old Business.

- a. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, part of Parcel 44.00 from R-6 to C-2 (requested by Kevin Waldron). Property contains approximately 3.62 acres and is located along Sam Ridley Parkway, West. Second Reading.

At this time, Mayor Mary Esther Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered on second and final reading an ordinance relative to the rezoning of property located on Tax Map 28, part of Parcel 44.00 from R-6 to C-2 (requested by Kevin Waldron). Property contains approximately 3.62 acres and is located along Sam Ridley Parkway, West. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Vice-Mayor Mark Adkins. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "2". (Ordinance #20-20).

- b. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for the annexation of a portion of the existing right-of-way of Hickory Grove Road.

At this time, Mayor Mary Esther Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered a resolution relative to a Plan of Services for the annexation of a portion of the existing right-of-way of Hickory Grove Road. The recommendation of the Planning Commission was that the Town Council approve the Plan of Services. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3". (Resolution #20-18).

- c. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation of approximately 2,030 linear feet of the existing right-of-way of Hickory Grove Road. Second Reading.

At this time, Mayor Mary Esther Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered on second and final reading an ordinance relative to the annexation of approximately 2,030 linear feet of the existing right-of-way of Hickory Grove Road. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Council Member Gerry Short made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "4". (Ordinance #20-21).

- d. Consideration of a resolution in memorandum of Ordinance #20-21 relative to the annexation of approximately 2,030 linear feet of the existing right-of-way of Hickory Grove Road.

The Town Council next considered a resolution in memorandum of Ordinance #20-21 relative to the annexation of approximately 2,030 linear feet of the existing right-of-way of Hickory Grove Road. Following discussion, Council Member Tim Morrell made a motion to approve said resolution. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved unanimously. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5". (Resolution #20-19).

- e. Consideration of an ordinance relative to the annexation and C-2 and PRD zoning for properties located on Tax Map 50, Parcels 1.00, 2.00, and 4.00, containing approximately 252.6 acres, (requested by Brett Smith on behalf of Encompass Land Group). The recommendation also includes the annexation of approximately 3,400 linear feet of the existing right-of-way of Rocky Fork Road. Properties are located along Rocky Fork Road southwest of I-24. First Reading.

Mayor Mary Esther Reed stated the Developer has asked to defer this request for annexation. Following discussion, Vice-Mayor Marc Adkins made a motion to defer this item for thirty days. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously.

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the rezoning of properties located on Tax Map 54, Parcel 51.00 and part of Parcel 50.01 (requested by Shawn Collins), from R-3 to PRD. Properties requested contain approximately 15.4 acres and are located on Rocky Fork Almaville Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of properties located on Tax Map 54, Parcel 51.00 and part of Parcel 50.01 (requested by Shawn Collins), from R-3 to PRD. Properties requested contain approximately 15.4 acres and are located on Rocky Fork Almaville Road. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions: 1) front porch extensions must meet the front building setbacks if the porch is covered, 2) it appears that the public street is proposed to have a landscaped area within the cul-de-sac. An agreement would be required between the Town and the HOA for maintenance of this area, and 3) this project cannot start until the Morton Lift Station upgrade has been completed. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance, with the conditions, on first reading. The motion was duly seconded by Council Member H. G. Cole. Following further discussion, the motion was approved 6-0-1 with Vice-Mayor Marc Adkins abstaining. A copy of said ordinance, as approved on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6". (Ordinance #20-22).

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 35, Parcel 94.00 (requested by Sean Saunders), from R-1 to PID. Property contains approximately 3.4 acres and is located at 7085 Florence Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 35, Parcel 94.00 (requested by Sean Saunders), from R-1 to PID. Property contains approximately 3.4 acres and is located at 7085 Florence Road. The recommendation of the Planning Commission was that the Town Council approve the request with the following condition: 1) development of this parcel would require dedication of sufficient right-of-way to allow for future road widening as well as the proposed sidewalk extension from Rebel Road to Westfork Park. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said ordinance, with the condition, on first reading. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Ordinance #20-23).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 27.00 (requested by Michael Lee), from C-2 to R-2. Property contains approximately .36 acre and is located at 203 Stewart Drive. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 27.00 (requested by Michael Lee), from C-2 to R-2. Property contains approximately .36 acre and is located at 203 Stewart Drive. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Council Member Steve

Sullivan made a motion to approve and adopt said ordinance, on first reading. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "8". (Ordinance #20-24).

- iv. Consideration of an ordinance relative to the rezoning of property located on Tax Map 34, Parcel 24.03 (requested by Mike Breece), from I-3 to I-1. Property contains approximately .09 acre and is located at 555 Wade Herrod Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 34, Parcel 24.03 (requested by Mike Breece), from I-3 to I-1. Property contains approximately .98 acre and is located at 555 Wade Herrod Road. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "9". (Ordinance #20-25).

- v. Consideration of an ordinance relative to the amendment of the text of the Smyrna Municipal Zoning Ordinance to amend Article IV, Section 4.030, "Temporary Use Regulations" to address mobile food service vehicles to allow them by right in residential neighborhoods and in C-2 and C-3 districts, subject to certain requirements and to require annual permits. First Reading.

The Town Council next considered an ordinance relative to the amendment of the text of the Smyrna Municipal Zoning Ordinance to amend Article IV, Section 4.030, "Temporary Use Regulations" to address mobile food service vehicles to allow them by right in residential neighborhoods and in C-2 and C-3 districts, subject to certain requirements and to require annual permits. The recommendation of the Planning Commission was that the Town Council approve the amendment. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "10". (Ordinance #20-26).

b. Packaged Liquor Board Report:

There were no applications for the Town Council to consider at this time.

c. Approval of the terms of, and authorization for the Mayor to execute, the Barry Brady Act Policy.

The Town Council next considered a motion by Council Member Gerry Short to approve the terms of and authorize the Mayor to execute the Barry Brady Act Policy. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously. A copy of said document is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "11".

d. Approval of Smyrna Police Standard Operating Procedures.

The Town Council next considered a motion by Council Member Steve Sullivan to approve the Smyrna Standard Operating Procedures. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved unanimously.

e. PUBLIC HEARING: Consideration of a resolution to TDOT to request Transportation Alternative Program (TAP) Grant funding for sidewalk improvements along Enon Springs and Old Nashville Highway.

At this time, Mayor Mary Esther Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered a resolution to TDOT to request Transportation Alternative Program (TAP) Grant funding for sidewalk improvements along Enon Springs and Old Nashville Highway. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member H. G. Cole. Following further discussion, the motion was approved unanimously. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "12". (Resolution #20-20).

f. Other.

i. Approval of the terms of, and authorization for the Mayor to execute, the contract with GNRC to receive the ABC grant money and to allocate the required matching funds from the Town of Smyrna in an amount not to exceed \$1,841.00.

The Town Council next considered a motion by Council Member Racquel Peebles to approve the terms of and authorize the Mayor to execute, the contract with GNRC to receive the ABC grant money and to allocate the required matching funds from the Town of Smyrna in an amount not to exceed \$1,841.00. The motion was duly

seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously. A copy of said document is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "13".

There was no further New Business to be considered by the Town Council.

7. Status Reports.

Town Manager Brian Hercules read an e-mail from Nate Brown in appreciation to the Parks Department with lighting during a pickle ball game. He announced the following: 1) the annual Christmas parade has been cancelled this year, 2) the Christmas Tree Lighting Ceremony will be a virtual event, 3) the Jeff Kuss Memorial Run has also been cancelled, and 4) staff is working on the annual Food Drive.

8. Announcements.

Mayor Mary Esther Reed asked Town Engineer Charles King to give an update on the Sam Ridley Parkway Widening Project.

Town Manager Brian Hercules stated the bid letting for Jefferson Pike is October 9th. He also gave an update on Enon Springs Road West Road Project.

Council Member Racquel Peebles wished her daughter, Nora, a "Happy Birthday".

Council Member H. G. Cole wished Mayor Reed a belated happy birthday and encouraged citizens to shop local.

Council Member Tim Morrell stated the annual Rotary Wings of Freedom Fish Fry is Saturday, September 12th from 5 to 8 p.m. Citizens can drive by to pick up their meal.

Council Member Gerry Short offered condolences to the Jerry Oxsher family.

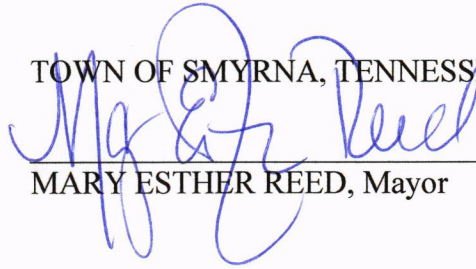
Council Member Steve Sullivan had the privilege of pinning his son who is in the Marines. He asked that all keep service people in their prayers.

Vice-Mayor Marc Adkins issued condolences to Jerry Oxsher's family. Jerry served the Town of Smyrna as Vice-Mayor and Commissioner. He thanked all teachers for the work they do and congratulated Mayor Reed on being nominated for the Athena Award. He wished his wife a "Happy 39th Anniversary".

Mayor Mary Esther Reed encouraged citizens to complete the 2020 census. Depot Days has also been cancelled for 2020. She stated the Town's golf scramble raised over \$50,000 to benefit United Way of Rutherford and Cannon. She also offered condolences to the Oxsher family. Mayor Reed read a thank-you note for all the prayers, cards and flowers on the loss of his mother.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk